

GENETIC FIX. By Amitai Etzioni. New York: McMillan Publishing Co., Inc., 1973. Pp. 276. \$7.95. Review by Joseph J. Weiss\*

The purpose of this book is to examine the implications of "human engineering": those developments in genetics through which man is intervening in natural processes. The title reveals the author's concern. To fix means to improve where wrong; however in the attempt to fix, one may tamper, *i.e.* make inadvertent mistakes.

The author, Amitai Etzioni, is Professor of Sociology at Columbia University. The material for his book comes from a three-day symposium held in Paris in 1972 on the subject "Recent Progress in Biology and Medicine—Its Social and Ethical Implications." He was invited to participate because his general field of interest involves inquiry into the ways society meets the problems that threaten it.<sup>1</sup> Elsewhere, he had turned his attention to the topic of the Paris symposium in his article, *Sex Control, Science and Society*.<sup>2</sup>

The first part of *Genetic Fix* presents examples of dramatic findings in genetic research and the implications of these findings. Included in this survey is the development of screening tests before pregnancy or in its first three months that enable physicians to detect a host of genetic defects, especially those which will result in the offspring's becoming mentally deficient. Genetic research, the author points out, soon may reach the point at which a couple will be able to choose the sex of their child. Furthermore, the possibility exists that conception may occur in a test tube from a bank of sperm and eggs, with later implantation into the woman.

These and other developments raise a series of questions. When are screening tests to be used? What are the prospective parents to be told regarding the risk of the tests to the mother and fetus? What safeguards are needed so that errors in screening or conception will not result in the birth of an abnormal baby or the abortion of a healthy fetus?

As the author notes, errors in genetic testing have already occurred. Early in the screening for phenyl-ketonuria a mistake was made, and as a result some children with the condition were missed and several healthy newborns were labeled as having the disease. Phenyl-ketonuria involves incomplete degradation of an amino acid such that the by-product is toxic to the brain and causes severe mental retardation. Diet restriction is necessary to treat the disease. How-

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<sup>1</sup> A. ETZIONI, *THE ACTIVE SOCIETY* (1968).

<sup>2</sup> 161 *SCIENCE* 1107-12 (1968).

ever, the restricted diet causes severe growth retardation in normal children. An error either way in screening is disastrous for the child.

The author argues that the public cannot put its fate wholly in the hands of medical scientists undertaking genetic research. The issues involved, such as the use of humans for experiments and the fate of the fetus, are too momentous for scientists alone to decide. Decisions on genetic problems, Dr. Etzioni states, "should be open to the public and involve the citizen in authentic, well informed participation." The public "has the right to know of opportunities and the consequences, to be in on decisions and actions involving administration of the genetic fix to yourself, your next child, and to the nation's biological inheritance." I doubt if any reasonable person could take issue with his stand.

The author next presents his plan for safeguards and public participation. He proposes setting up international, national and local commissions to "counsel governments and provide information regarding genetic advances and their implications." Such a council, to be called "A Health-Ethics Commission . . . would deal specifically with social and ethical issues raised by genetic breakthroughs in medicine." Local health boards would "review individual decisions and attack specific problems."

Dr. Etzioni presents the Mondale Bill as a model. This act, already approved by the Senate, would create a fifteen-member board appointed by the President of the United States from the fields of medicine, law, theology, biological science, social science, philosophy, humanities, health administration, government and public affairs.

Dr. Etzioni does not explain how such a Health Ethics Commission on the international, national and local levels would decide what problems to investigate, what information to present to the public or what mechanisms of self-assessment to use to keep its decision in line with the change and controversy that surrounds genetic research. He does not discuss the geographical boundaries for the "local board," how its members would be chosen, or how its budget would be funded.

There are other reasons to be skeptical of Etzioni's solution by committees. One can imagine how easily the deliberation of twelve to fifteen learned persons could become interminable. Or, if driven by the vigor and insistence of a small number of strong-minded individuals, a committee could arrive at solutions that are the result of haste and bias. The reader's own experience with committees could undoubtedly offer further objections.

I reject this solution on grounds other than that its outlines are vague and its implementation is ineffectual. Dr. Etzioni has overlooked an excellent mechanism presently available to provide justice in medicine: the malpractice suit.

The possibility of such a suit has forced physicians and researchers to examine their often unintended and unconscious attitude that objections by patients are impediments to progress or that the patient's ignorance is better left alone. As a result of the malpractice suit there is developing a dialogue among patient, physician and medical scientist far greater, I believe, than can be generated by any well-intended commission or state authority.

The courts, in malpractice suits and in other suits, have examined the implications of medical progress. They are even now fulfilling Dr. Etzioni's requirement of a mechanism to undertake just this sort of investigation. This capability of the courts is illustrated by such decisions as Judge Gesell's ruling in *Relf v. Weinberger*<sup>3</sup> that irreversible sterilization for minors or mental incompetents is never voluntary no matter whose consent is given. Of equal significance is the Sixth Circuit's opinion in *McDaniel v. Baptist Memorial Hospital*<sup>4</sup> exempting transplanted organs and human tissues from warranties. Perhaps the most dramatic examples of a court's translation of medical change into public policy are the Supreme Court's rulings in *Roe v. Wade*<sup>5</sup> and *Doe v. Bolton*,<sup>6</sup> as a result of which abortion control laws throughout the country were struck down. It should be pointed out that behind such court decisions is the testimony of expert witnesses who represent medicine, sociology, religion, government and philosophy: the very disciplines Dr. Etzioni believes can be effectively heard only on his committees.

Dr. Etzioni also ignores the growth of consumer advocacy. Organizations such as Consumers Union and individuals such as Ralph Nader have made intelligent and concerned persons aware that they have the right to know what advances in medical science are available to them and what risks are involved in such undertakings. Dr. Etzioni's portrait of the individual as ignorant or misled does not represent a true picture of the way people accept medical services today.

The view from *Genetic Fix* is pejorative to doctors. Physicians are neither as arrogant to the patient nor as indifferent to the effects of their medical intervention as Dr. Etzioni would have the reader

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<sup>3</sup> 372 F. Supp. 1196 (D.D.C. 1974).

<sup>4</sup> 469 F.2d 230 (6th Cir. 1972).

<sup>5</sup> 410 U.S. 113 (1973).

<sup>6</sup> 410 U.S. 179 (1973).

believe. That physicians are concerned with the costs to society of genetic advances, as compared with the benefits, is illustrated by the recent article, "Myelodysplasia: Decision for Death or Disability."<sup>7</sup> The annual publication, *Progress in Medical Genetics*, in its latest volume devotes forty-one pages, or approximately twenty percent of the book, to "Ethical Issues in Genetics."

The author's book is a warning—too early and too late. It is too late since the dangers he wants us to become aware of are already known: the dangers of the "Pill," the difficulties surrounding organ transplant, the limits of screening for inborn disease of the fetus. On the other hand, the solution he calls for is premature. Society does have mechanisms to protect itself and to evaluate the genetic knowledge presently being accumulated. The rise of consumer advocacy, the increase in the use of malpractice suits, the activity of the courts in other medically-related areas and the attitude of physicians themselves are acting in concert to counter the potential abuse to the individual and society.

At present, when our world seems at the edge of chaos because of its inability to cope with unforeseen economic and unremitting racial stresses, it is refreshing to see how our tradition is capable of meeting the challenges arising from human engineering. If Dr. Etzioni, whose interests lie in the checks and balances within society, would investigate this interplay between law and medicine, then he might well provide us with a book of lasting value.

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<sup>7</sup> 291 NEW ENGLAND JOURNAL OF MEDICINE 1005-11 (1974).

*HOUSING SUBSIDIES IN THE UNITED STATES AND ENGLAND.* By Daniel R. Mandelker. New York: Bobbs-Merrill Company, Inc., 1973. Pp. xvi, 241. \$9.50. Reviewed by Frank S. Sengstock.\*

By common observation, one of the weakest cogs in the machinery of today's economy is the construction industry. This weakness is an outgrowth of the failure of the United States to realize the goal of a decent home and a suitable environment for every American family, though this objective has been an official goal of our nation since 1949.<sup>1</sup> This failure is most conspicuous in the realm of subsidized public housing, the need for which becomes greater as the rate of increase in housing costs surpasses the rate of increase in personal incomes.<sup>2</sup> In 1968, the National Commission on Urban Problems analysed the state of housing in the United States as follows:

Over the years, accomplishments in subsidized housing are extremely inadequate. The Nation in 30 years of public housing built fewer units than Congress, back in 1949, said were needed in the immediate next 6 years. . . . One might suppose after years of talk and controversy . . . that by now the Nation would have managed to produce a sizeable quantity of housing units for low income families. The record is to the contrary.<sup>3</sup>

The difficulty of achieving the goal of a decent home for every American family has been intensified by the recent eighteen month moratorium on commitment of funds under the existing section 235 homeownership and section 236 rental assistance subsidy programs.<sup>4</sup>

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<sup>1</sup> Housing Act of 1949, 42 U.S.C. § 1441 (1971).

<sup>2</sup> The rising costs of housing may prevent middle income groups, as well as the impoverished slum dweller, from being able to attain the goal of decent housing.

In recent years, personal incomes have grown at an average rate of three percent. . . . At the same time, the average annual increase in the price of new homes, to take one example, has been twice as great. . . . For example, under conventional assumptions which require a home purchase price not to exceed two-and-one-half times the annual income, an income of \$10,000 would have been required to purchase the median price house in 1969. Yet even by 1978, only 40 percent of all households are estimated to earn this much, and by this time the average cost of housing will have increased even more.

D. MANDELKER, *HOUSING SUBSIDIES IN THE UNITED STATES AND ENGLAND* 3 n.1 (1973) [hereinafter cited as MANDELKER].

<sup>3</sup> REPORT OF THE NATIONAL COMMISSION ON URBAN PROBLEMS No. 1 at iii (1968).

<sup>4</sup> The Department of Housing and Urban Development suspended the 235 and 236 programs on January 5, 1973. The United States Court of Appeals for the District of Columbia Circuit upheld the suspension on July 9, 1974. *Pennsylvania v. Lynn*, 501 F.2d 848 (D.C. Cir. 1974). Though the Omnibus Housing and Community Development Act of 1974 extended the programs for an additional two years, HUD continued the freeze on the programs. 2 *HOUSING AND DEVELOPMENT REPORTER* 333 (Aug. 26, 1974).

If the goal of decent housing for all is to be achieved and if the construction industry is to be revitalized, Congress must commit more funds toward such a national goal. Further, the performance of the current federal subsidy programs must be examined to determine how to improve on a very sorry record to date. It is with respect to the operation of public housing subsidies that *Housing Subsidies in the United States and England* makes a contribution.

In his book, Daniel Mandelker<sup>5</sup> compares the operation of subsidized publicly owned rental housing in the United States with that of subsidized rental housing, both public and private, in England. Through this comparison, he lays a much needed conceptual background for developing a program of subsidized publicly owned housing for low income families. By focusing on public housing in the United States, however, Mandelker misses an opportunity to develop how other programs in our country might benefit from the English experience. Specifically, the author does not treat or compare how the section 23 leasing program<sup>6</sup> or the rent supplement program<sup>7</sup> have counterparts in the English system where rent rebates to individual tenants paid through local housing authorities extend to rentals of dwellings from private owners.<sup>8</sup>

The author attempts to compare the American system of subsidized publicly owned housing for low income families with the English system by identifying seven basic questions which he suggests have to be answered in developing an effective housing subsidy program.<sup>9</sup> Unfortunately he does not compare the effectiveness of the two systems in producing more available housing units for low income persons. One wishes that this subject had been explored because the principal housing problem in each country has been, is, and will continue to be one of shortage at every level. Justifiably, Mandelker does point out that while in both countries there is a tendency to concentrate subsidy programs on high quality newly constructed subsidized housing to the detriment of increasing the number of available

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<sup>6</sup> 42 U.S.C. § 1421b (1971). "Section 23 leasing" provides that public housing authorities are authorized to lease suitable units from private owners for sublease by the authorities to selected low income tenants. The property owner receives the full rental from the public housing authority while the authority collects a lower rent from the tenant.

<sup>7</sup> 12 U.S.C. 1701s(d) (1971). The rent supplement program provides for an owner of a building to be paid the amount by which the rent for the unit exceeds one-fourth of the tenant's income. This program has never attained its maximum potential as there has been considerable congressional opposition to it, manifested by reluctance to appropriate funds.

<sup>8</sup> Details of the operation of the rent rebate system in England are described in MANDELKER at 173-206.

<sup>9</sup> MANDELKER at 1-44.

units, the English system may result in more housing for low income persons because housing of any quality and age can qualify for a subsidy, providing an appropriate adjustment is made in rent.

As a first criterion for evaluating any program of housing subsidies, an inquiry must be made into the scope of the program, *i.e.* what people are benefited under the program and how the subsidy is distributed to them—directly or through an intermediary. Mandelker makes a distinct contribution to the literature on housing subsidies through his comparative analysis of the scope of coverage in the United States and England. His analysis provides an effective tool which may aid in improving the American subsidy program. To date, I have not seen the kind of comparison he makes in any American legal periodical.

Mandelker provides a graph which illustrates the possible dimensions of a subsidy program.<sup>10</sup>

Limited	Substantial
A. The housing subsidy is limited and is available to a high proportion of the population.	B. The housing subsidy is substantial and is available to a high proportion of the population.
C. The housing subsidy is limited and is confined to a small proportion of the population.	D. The housing subsidy is substantial and is confined to a small proportion of the population.

In the United States, the scope of the subsidy fits model D. Historically, the federal public housing statute required a twenty percent gap between the upper rental limits for admission to public housing and the lowest rents at which private enterprise unaided by a public subsidy was providing. This was coupled with another federal requirement that admission be limited to applicants whose incomes were not in excess of five times the annual rental for unit to be occupied: — whence the requirement of a minimum rent/income ratio.<sup>11</sup> The result of these limitations has been to confine the subsidy to persons in the lowest part of the economic spectrum. Further, the

<sup>10</sup> *Id.* at 7.

<sup>11</sup> *Id.* at 49-52.

substantial federal subsidy is made through an annual contributions contract in which the federal government contracts with a local public housing authority to meet the costs of the principal and interest installments of bonds of the local agencies issued to construct public housing projects.<sup>12</sup> As a result, the subsidies have had a dramatic effect on housing costs of those who receive them, and the projects are filled with welfare families and marginal workers.

The English experience is just the opposite. The scope of the subsidy fits model A. Traditionally, legislation provided for a fixed annual payment for each dwelling unit to a local council which owned the unit. The council has had unlimited discretion in the selection and retention of its tenants. No income limitations are required for occupancy. This lack of control over "local authority tenant selection and eviction has allowed local authorities to select and keep only the most desirable and troublefree tenants, thus avoiding the problem of housing the more difficult families."<sup>13</sup> The economic stratification found in public housing projects in the United States is not prevalent under the English system.

Initially public housing in the United States was a means of providing housing for those persons uprooted by the depression and wartime production relocation during the forties. Those who occupied the housing were essentially a submerged middle class with middle class values. As they prospered, they left public housing, and in the fifties new tenants arrived who viewed life differently than had their predecessors.<sup>14</sup> They could not aspire to suburbia; they had to remain in the public housing. They were the permanent poor.<sup>15</sup> Concentrating them in public housing, where the only values in life espoused are those of the culture of the permanent poor, has resulted in the destruction of any hope and desire to escape their environment. The English experience offers an alternative. If public housing in the United States cannot politically be operated except by concentrating the poor in one building, the more appropriate alternative, in the opinion of the reviewer, may be the abolition of all public housing and the expansion of section 23 leasing<sup>16</sup> and rent supplement programs.

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<sup>12</sup> *Id.* at 47-48.

<sup>13</sup> *Id.* at 135.

<sup>14</sup> Ledbetter, *Public Housing—A Social Experiment Seeks Acceptance*, 32 *LAW & CONTEMP. PROB.* 490, 496 (1967).

<sup>15</sup> The permanent poor of the housing projects also assume racial characteristics. Thus, 43.6 percent of all tenants in public housing were black by 1956. *STATISTICAL ABSTRACT OF HAA OPERATIONS* (Jan. 1968).

<sup>16</sup> Under section 23 leasing, precedent does exist in the United States for deliberately planning for a mix of racial and economic groups in rental housing projects. Thus, only ten



As the above discussion indicates, both the American and British systems of subsidy distribution have employed a local authority as an intermediary with resultant restrictions on individual freedom of choice in the selection of housing which will qualify for a rental subsidy. Such restrictions in the United States have contributed to the concentration of subsidized rental housing in our inner cities. The problem has been somewhat limited in England because all local authorities have adopted subsidized housing.

Mandelker does recognize that in theory there exists an alternative to distribution by an intermediary — a direct housing allowance to the individual. However, he dismisses this theory as a hope rather than offering it as a practical possibility principally because of a locational split between rental and owner-occupied housing in both countries. I cannot agree with this assessment.

A substantial amount of private rental housing is available in suburbia today; the rent supplement program in the United States has never been adequately funded so as to provide data to determine whether suburbia might be opened to it. A direct housing subsidy might indeed largely curtail the ghetto characteristics resulting from the present program of administering subsidies by the voluntary participation of local authorities.

The second criterion offered by Mandelker in evaluating a rental housing subsidy program is a determination of whether both newly constructed residential units and older units may be involved. In both the United States and England, publicly owned housing programs have concentrated on new construction in order that high levels of housing quality could be maintained. Subsidies have not been granted for occupancy of older units in the United States because these units fail to attain a prescribed quality. However, the same limitation does not exist in England where housing of any quality qualifies, providing an adjustment in fair rent is made. The value of including older housing in a program is that appropriations can be extended to more units if older housing is involved because older housing commands a smaller rent return per unit. Mandelker concludes that a compromise corresponding to the English system is not possible in the United States where rent control is politically unacceptable.<sup>17</sup>

This reviewer does not agree with the above conclusions. Older construction in the United States can qualify to house tenants in a

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percent of the units in a building may be leased to a public housing agency to assure economic integration. 42 U.S.C. § 1421b(c) (1971).

<sup>17</sup> MANDELKER at 210-11.

subsidy program. Of course, the government cannot subsidize rents to an unlimited extent; there must be some element of control. It is submitted that private landlords can be induced to enter into a leasing arrangement in which the element of rent control is present so long as they receive an adequate return on their investment.<sup>18</sup>

Concerning rent control, Mandelker devotes considerable attention to analyzing the English fair rent system. Most housing in England, including local council housing, is subject to rent control. The applicable sections of the rent control act provide:

- (1) In determining . . . a fair rent . . . regard shall be had, subject to the following provisions of this section, to all circumstances (other than personal circumstances) and in particular to the age, character and locality of the dwelling-house and to its state of repair.
- (2) For the purposes of the determination it shall be assumed that the number of persons seeking to become tenants of similar dwelling-houses in the locality on the terms (other than those relating to rent) of the regulated tenancy is not substantially greater than the number of such dwelling-houses in the locality which are available for letting on such terms.<sup>19</sup>

No rent control act can be easily operational while achieving justice for all. This is true with respect to the above act. The objective of the act is to eliminate the factor of scarcity value in fair rent determinations. Mandelker's analysis of the statute reveals a number of conceptual problems such as defining what constitutes a locality.<sup>20</sup> These problems have apparently been overcome in practice.<sup>21</sup> The analysis of the fair rent standard is penetrating and thorough. One wishes, however, that Mr. Mandelker had made an attempt to compare the above system to that presently prevailing in New York.<sup>22</sup>

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<sup>18</sup> Section 23 leasing provides for such controls. It limited rents which the local housing agency may pay for private housing so they would not exceed the fixed annual contribution which the United States would have granted to the agency for the construction of new housing on a per unit basis. 42 U.S.C. § 1421b(e) (1971). The landlord has an incentive to enter into the program because leasing agreements can be entered into for a period of five years. Long-term leasing agreements with a tenant (the local housing agency) of sound financial integrity, constitute a very strong incentive to participate in the program. The failure of Section 23 is largely attributable to inadequate funding demonstrating a lack of commitment in the housing field.

<sup>19</sup> Rent Control Act, ch. 23 § 46 (1968), cited in MANDELKER at 147.

<sup>20</sup> MANDELKER at 148.

<sup>21</sup> *Id.* at 154-56.

<sup>22</sup> See NEW YORK CITY, N.Y., ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, §§ Y51.1.0 to Y51.18.0 (1962). An interesting history of the law is provided in a student article at 70 COLUM. L. REV. 156 (1970). See also Rent and Eviction Control in City of Boston, 10 MASS. ANN. LAWS, ch. 797, 137 (Cum. Supp. 1973).

The third criterion used by Mandelker directly relates to the effects of the presence or absence of rent control. In England more than one-half of all rental housing is publicly owned; private investments in rental housing have been curtailed as a result of rent controls. In the United States, a strong private rental market exists in suburban areas whereas private rental housing in the inner cities is increasingly abandoned. Any subsidy program will have to take these factors into account.<sup>23</sup>

This reviewer has already referred to the rent/income ratio which predominates in the American subsidy programs. This ratio responds to the housing expenditure issues; it reveals to what extent tenants in housing programs require subsidies. How much of the housing costs should be paid by the tenant out of his own income and how much should be subsidized? This is the fourth criterion in assessing a subsidy program for rental housing, and Mandelker does a splendid job in developing it.

The American experience permits local housing agencies to prescribe the income level required for entrance into the project and then to determine what constitutes income for payment of rent. The same agencies determine minimum and maximum rents under a graded rent system that takes a certain percentage of income at all income levels. Mandelker illustrates the experience by detailing how income is computed by the Newark, New Jersey, Public Housing Authority. From an aggregate annual gross income by all members of the family is subtracted allowable deductions (compulsory payroll deductions, medical expenses, etc.), an exemption of \$100 for each minor member of the family, and further exemptions for working minors and adults, and lesser exemptions for those who are unemployed. The result is the income for rent determination.<sup>24</sup> Rent is then determined by requiring the tenant to pay a certain percentage of his income as rent. All costs of the project not covered by the federal subsidy program are paid out of these rents. The most conspicuous result of this system is that lower income tenants pay a greater share of their income for rental accommodations than middle and upper income tenants.<sup>25</sup>

The English system proceeds along different lines. Rent is determined by the fair rent standard. A tenant is required to pay a minimum weekly rent calculated at forty percent of the fair rent; the balance is a rent rebate to him. If he earns more than a statutory needs allowance, the minimum weekly rent is increased; if less, the

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<sup>23</sup> MANDELKER at 20-21.

<sup>24</sup> *Id.* at 59.

<sup>25</sup> *Id.* at 53-58.

minimum weekly rent is decreased. No income limitations are prescribed by the system. The English rent rebate does not reduce the tenant's rent to a fixed portion of his income.<sup>26</sup>

The comparison between the American and English systems—rent/income ratio versus fair rent/rebate—clearly brings out a number of key problem areas which have been ignored so far in legislative programs in the United States and which deserve immediate attention. A rent/income ratio scheme predicated on individual circumstances requires detailed information about the tenant's ability to pay. Such inquiries, in this reviewer's opinion, have to date conveyed to tenants a sense of personal degradation. They constantly remind him that the poor are entitled to no privacy. Mandelker offers a worthwhile alternative:

The only feasible alternative to a review of individual economic circumstances as the basis for determining rent is a rent standard which is calculated as an average, and which permits few variations. Flat welfare grants in the United States which include an amount for rent based on statewide or regional averages, and the national rent average which is used in the English Family Income Supplement program, are two examples of this approach.<sup>27</sup>

Another serious problem in effectuating a rent/income ratio relates to the impact of the ratio on welfare payments. If the ratio operates in a way to reduce welfare payments of indigent tenants, such persons receive no direct benefit from housing legislation. Without such benefit, no improvement in the housing picture occurs. Only in 1971 did Congress see fit to prohibit such reductions.<sup>28</sup>

*Housing Subsidies in the United States and England* provides an effective tool with significant historical background to aid a legislator in efforts to amend the rent/income ratio scheme of subsidies or to substitute an alternative modeled after the rent rebate system.

The fifth question asked by Mandelker in his evaluation of subsidy programs is how a subsidy covering the remainder of the costs will be applied after the tenant's share of housing costs is determined. Traditionally, housing subsidies have been available only for capital costs with tenants' rents being used to pay operational costs. This has been true in both countries.<sup>29</sup> Mandelker justifiably questions the desirability of continuing such limitations. These limitations work against large families with low incomes, thus throwing an excessive

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<sup>26</sup> *Id.* at 173-206.

<sup>27</sup> *Id.* at 212.

<sup>28</sup> 42 U.S.C. § 1402(1) (1971).

<sup>29</sup> MANDELKER at 33.

burden on those least able to meet it.

A sixth question raised by Mandelker is a serious one: how do the objectives and policies of the subsidy program mesh with the welfare programs. Welfare assistance and housing subsidies are parallel systems of income support. In the United States, administration of welfare programs is divided among federal, state and local authorities, whereas housing programs do not involve state administrations. Programs are administered without recognition of each other. Thus, ADC assistance contemplates developing work incentives: welfare recipients are permitted to keep a substantial share of their earnings in addition to the welfare grant. On the other hand, public housing regulations are not so generous.<sup>30</sup>

Another illustration of the potential conflict was the controversy which resulted in the adoption of the so-called Brooke amendment in 1971.<sup>31</sup> Public housing subsidies leading to rent reductions of individual beneficiaries were being deducted from welfare grants to the same person leaving him no better off than he was before receiving the benefit of the subsidy. The problem is less complicated in England as welfare is a national responsibility. The problems raised by the sixth issue suggest the seventh and final question: how to correlate national and local responsibilities in a housing subsidy program.<sup>32</sup>

Although the author does offer some suggestions on how the housing subsidy system and welfare grants could be unified in objectives and administration, one would have appreciated some statement of personal preference coupled with explanation of how this serious administrative breakdown of coordinated effort could be avoided. Should the administration of housing subsidies be allocated by the national government to states in much the same way as welfare plans are presently executed? What are the advantages and disadvantages of adopting as a model for housing subsidies the English system of national administration of welfare? What are the advantages of maintaining local control over housing decisions while the burden of funding housing development in both countries remains national? This administrative quagmire in housing subsidies in the United States is one principal cause of our failure to realize the goal of a decent home and a suitable environment for every American family. *Housing Subsidies in the United States and England* does not offer a workable plan for successfully overcoming this particular obstacle.

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<sup>30</sup> *Id.* at 37.

<sup>31</sup> *Id.* at 211.

<sup>32</sup> *Id.* at 38-41.

We must recognize our moral responsibility to provide an adequate housing program for the lowest echelons of our economic structure. Traditionally, the bottom of the economic pyramid has relied on rental housing, and the nation has responded to the needs of this group with subsidized public housing for the poor. Anyone interested in evaluating existing program formulas for subsidized public housing or planning new programs must applaud Mandelker's efforts.

*Housing Subsidies in the United States and England* is a valuable source for innovative ideas that may lead to legislation. Comparing in detail the English and American systems in public housing brings out not only the glaring defects in each program but also the positive accomplishments. Hopefully, future legislative programs in our country will benefit from this comparison. Hopefully, other commentators will follow Mandelker's lead and undertake comparative analysis of American housing subsidies and those of other countries in order to obtain fresh perspectives on our own problems. One of the foremost achievements of this work is that it ties together in a conceptual package many of the principal problem areas of programs for public housing. The reader can thus perceive how changes in one aspect of the program will affect another. Its one serious shortcoming is the author's limitation of the examination of American subsidies to only the public housing program.

*Housing Subsidies in the United States and England* will be recognized as a much needed tool in our nation's future efforts to improve federal housing assistance to the poor.